

A submission on the Green Paper – Strengthening Australia’s Democracy

The Paper states that “it is intended to provide an opportunity for broad engagement across the range of matters relevant to the electoral law”. The matter I wish to raise is the operation of our preferential voting system, a distinctive feature of our elections. The Electoral Act requires that for a vote to be considered valid the voter must indicate his/her preferences for all listed candidates and place a number, in sequential order, in every square on the voting paper. This is no great problem when the list is relatively short, as it usually is for H of R candidates, but in the case of the Senate there is now a very long list prompting the introduction of allowing votes “above the line”. The voter is thus permitted to simply indicate preferences for the parties represented rather than for the individual candidates, thereby accepting whatever preferential order party officials have decided upon. This concession clearly has its advantages, not least for scrutineers, but it can also lead to some questionable results.

I do not wish to urge the abandonment of this above the line practice but simply to urge that voters be given the option of filling in, below the line, only as many preferences as there are candidates to be returned. The requirement that a number be shown for all candidates – over 50 for the Senate – is arbitrary and effectively meaningless beyond the first few numbers. It is also, I suggest, fundamentally flawed in so far as it actively encourages the voter to hand over a significant part of his/her democratic voting responsibility to others. Ideally it should be abolished and a more relaxed form of preferential voting be instituted, but I guess its convenience to voters, scrutineers, and party officials, will ensure that it stays. Nevertheless I submit that, if our Electoral Act is to provide “the best possible framework for democracy in Australia” , as the Green Paper seeks, then our whole system of preferential voting should be looked at critically, and voters be allowed and indeed encouraged to use it more intelligently and responsibly than is currently the case. My concern is mainly with the Senate voting system, but I suggest that even in the case of H of R votes there is no need to require that all squares be filled in. For both Houses, but especially for the Senate, a vote should be regarded as valid if it shows a clear preference for as many seats as there are to be filled, even just one for the H of R.

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